

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Aaron Scott King Sr.,

Case No. 24-CV-02442 (JMB/DJF)

Plaintiff,

v.

ORDER

Officer Ogastien, Henipen County Jail;
Henipen County Jail; SGT who Denied my
agreviece; Nurses and Correctional Officers;

Defendants.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge Dulce J. Foster dated July 16, 2024. (Doc. No. 4.) In the R&R, the Magistrate Judge considered whether to grant King's motion to proceed *in forma pauperis*. (See *id.*; Doc. No. 3.) The Magistrate Judge concluded that, because King's Complaint (Doc. No. 1) fails to state a viable claim for relief, this action should be dismissed and his IFP application should be denied accordingly under 28 U.S.C. § 1915A(b). The Magistrate Judge also recommended that King be ordered to pay the outstanding \$350 statutory civil-action filing fee for which he is responsible under 28 U.S.C. § 1915(b)(2). King did not object to the R&R. See D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. See Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 4) is ADOPTED.
2. King's application to proceed *in forma pauperis* (Doc. No. 3) is DENIED.
3. The Court dismisses this action without prejudice.
4. Mr. King shall pay the unpaid balance of the statutory filing fee (\$350.00) in the manner prescribed by 28 U.S.C. § 1915(b)(2). The Clerk of Court shall provide notice of this requirement to the authorities at the institution where King is incarcerated.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 24, 2024

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court